

FILED

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

OCT 16 2006

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

In re: GRAND JURY SUBPOENA,
DATED July 19, 2006.

GREG FRANCIS ANDERSON,

Witness - Appellant,

v.

UNITED STATES OF AMERICA,

Appellee.

No. 06-16572

D.C. No. CR-06-90292-WHA
Northern District of California,
San Francisco

ORDER

Before: REINHARDT, O'SCANNLAIN and GRABER, Circuit Judges.

This court's September 28, 2006 remand was not intended to be dispositive of this recalcitrant witness appeal. The Clerk shall reopen the docket.

The court has received and reviewed the district court's October 5, 2006 order in response to this court's September 28, 2006 limited remand.

The parties shall file simultaneous memoranda within 7 days of the filing date of this order that shall address whether the district court's October 5, 2006 order provides sufficient support for its August 28, 2006 contempt order pursuant to this court's September 28, 2006 memorandum. The memoranda shall be no

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longer than 12 pages and shall comply with the typeface requirements of Federal Rule of Appellate Procedure 32(a)(5).